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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

LEHMAN BROTHERS HOLDINGS INC., *et al.*,
Debtors.

Chapter 11
Case No. 08-13555 (JMP)

LEHMAN BROTHERS HOLDINGS INC. and
OFFICIAL COMMITTEE OF UNSECURED
CREDITORS OF LEHMAN BROTHERS
HOLDINGS INC., *et al.*,

Adversary Proceeding
No. 10-03266 (JMP)

Plaintiff and
Plaintiff Intervenor,

-against-

JPMORGAN CHASE BANK, N.A.,
Defendant.

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum of Law, the Declaration of Amy R. Wolf and the exhibits thereto, and all pleadings and proceedings heretofore had before this Court, defendant JPMorgan Chase Bank, N.A., by its undersigned counsel, hereby moves before the Honorable James M. Peck of the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004, for an order dismissing the First Amended Complaint in the above-captioned adversary proceeding in

its entirety for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6), as incorporated in Bankruptcy Rule 7012, and, where applicable, Federal Rule of Civil Procedure 9(b), as incorporated in Bankruptcy Rule 7009.

Dated: New York, New York
October 19, 2010

Respectfully submitted,

Of counsel:

WACHTELL, LIPTON, ROSEN & KATZ

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By: /s/ Paul Vizcarrondo, Jr.
Paul Vizcarrondo, Jr.

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